

I. PROCEDURES

- A. Call to Order
B. Roll Call
C. Pledge of Allegiance
D. Adoption of Agenda
E. Approval of Minutes of June 20, July 18 & August 1, and August 15, 2006
- Chairman Massey called the hearing to order 7:05 P.M.
Present- Chairman Massey, Vice Chairman Karen Peters, Commissioners Mike Cowan, Bill Baptist & Oscar Fredrickson. Present from staff: Harry Holmes, Planner, Glenn Cornwell, Public Works Director, Carolyn Smith, City Clerk
Fredrickson moved, Cowan seconded, motion carried.
Peters moved approve all minutes as presented, Cowan seconded, motion carried.

II. PUBLIC PARTICIPATION – None

III. CASE PP 06-02 Forest Canyon Estates

- A. Recess to Public Hearing
- Commissioner Peters recused due to a conflict and left the room. Harry Holmes explained the case, said there was additional material in front of the Commissioners (letters & a boundary dispute), and a survey. DRT had accepted the development with the conditions listed. There is a new plat map with one small change. There are now 6 variance requests:
1. To exceed minimum Cul-De-Sac length of 400 feet
 2. To request a 50 foot ROW for the roadway
 3. To allow double frontage access
 4. To have the Alston Way ROW less than 52 feet
 5. To have sidewalk on only one side on Jackson Dr. south of Joplin
 6. To have an 8% grade on Jackson Dr south of Joplin for more than 600 feet.

Harry introduced the engineers and developers making the rezoning request and approval of the prelim. plat.

Bob Herman, Woodson Eng., said he had represented the City and reviewed the plat for compliance. Any discrepancy had been noted in his report where he had noted the current standards for the requested variances.

Commission recessed at 7:16 p.m. to public hearing.
Chairman Massey asked any speakers to take only 3-5 minutes & try not to repeat each other.

Mason Cave, TND Developers gave a summary of the project. He showed maps and said they had been working on this for 2 years. Their main concern was to reserve the

view corridor. The current zoning allows 7000' lots, and they are asking for rezoning for some property to go from AR to R1-7. They have designed 24% of the project to be open space, and some lots are not buildable. The road should not be visible from town, and there will some lower cost housing, 1500 – 2700 sq. feet to sell a little under current market rate.

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Someone questioned the drainage problem. Guillermo Cortes, Shephard Wesnitzer, said there is 1 major problem area. He showed on the map that the wash will remain as it is and they will have storm drains, detention basins and catch basins calculated to 100 year storm flows.

Deleted: Cortez

Commissioner Baptist asked if there had been a study on this actual area or were they using a standard study. Guillermo said there was historical data on the site. Glenn Cornwell said AZ Engineering had done topo studies on the site.

Charlie Bassett said the main drainage isn't the only problem one; there is an annual flood on the south side of Park Way.

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Ted Fain said there is a boundary dispute that must be settled before anything else. Doug Peters said he had a survey done & there is an 18 foot discrepancy. Mason Cave said they will take it up with the surveyor. They hadn't received the letter from the attorney, and were given a copy. Mike Fleshman said if the 18' belongs to the developer his property extends into the street. Mason Cave said they will live with the correct boundaries and they will resolve the boundary dispute with the surveyor.

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Chairman Massey said the dispute is a legal issue and can't be decided here.

John Dent said there is a safety issue due to traffic, flooding, wild life, public access and egress on 6th St. Some residents didn't get notices of the hearing.

Jeana Stevenson said we should wait for a FEMA study to decide on this. Guillermo said the engineering will relieve some current flooding. They have to use pre-development flow rates. Charlie Bassett said the drainage off the mountain is extreme. Mason Cave said the company is very aware of the water problems and the engineering will relieve some of the problem.

Deleted: Gina

Glenn Cornwell said required off site improvements will address some of these concerns. This is only a preliminary plat and doesn't show the detail of a final plat. There will be a storage tank at the cost of the developer and the City fed from City water supply. A water study is in process. The tank will increase pressure.

Mike Fleshman said there is no water pressure now. Charlie Bassett asked if existing homes would connect to the new lines. Spring runoff is worse than monsoon. He passed pictures of last years flow.

Doug Peters asked who owns the roadway. Mason Cave said the City and it would be a 2nd access. This is only a proposal. They will do a traffic study. Guillermo said the water flow won't change. They will design out small flows with additional detail in a future study. Flow will be controlled down the creek, off site flows are not contained and will be handled by the 40' easement.

Glenn said the last flood was a 55 year storm & this is engineered to a 100 year storm. City engineers will verify developer's numbers and restudy for these specific issues. The next step is the final plat where up to 70% construction plans will be submitted.

Chairman Massey said the Commission only recommends to the City Council. There will be lots of changes and the community concerns will be taken into account. There is growth everywhere and the development is already zoned for some buildout. All these issues will be resolved in order to move the project forward.

B. Reconvene Regular Hearing
C. Discussion and Decision

Reconvened 8:35 P.M.

Frederickson asked to discuss the rezoning first. He is in favor in order to get continuity in the development.

Harry Holmes said the DRT suggested the turnout 1/2 way up the long cul-de-sac for safety vehicles and snow storage. The one side of sidewalk doesn't serve any lots & is along the cliff edge

John Dent said the Fire Dept. concern is for 2 egress/ingress and the % of grades. Chief Schulte insists on no grade over 10%.

Guillermo said the narrow road is to limit cuts & fills, there will be less scarring. Only the side roads will be narrower. Dan Ray said there will be a guard rail on the section with no sidewalk.

Massey asked why we need a variance for an 8% grade. Harry said due to the length of the grade that exceeds 8%.

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Frederickson moved to table the item to the next meeting in order to address some of the issues brought up tonight. Baptist seconded. Item tables to November agenda.

***IV. PLANNING AND ZONING
APPLICATION AND FEES***

Frederickson moved to table item to next agenda. Baptist seconded. Item tabled.

IV. INTERVIEW APPLICANTS FOR VACANT COMMISSION SEATS

A. Doc Wurgler

Peters welcomed the applicants.

Wurgler said he moved here in 1999 from the Canyon and has been active in the community since then. He is on several local Boards. He grew up in a rural community and understands rural problems. In 1989 the area was depressed and in 1999 he could see the growth. There has been lots of change and prosperity. P&Z offers some challenges. He believes you have to go by the rules without any personal agenda.

Frederickson asked if he was familiar with the General Plan. Doc hasn't read it, but has a copy. Has he ever built anything? He built his house. Were there any zoning issues? No, they chose the location carefully. Ever done a variance? No. Did he work alone or with others? He ran the clinic at the Canyon which was like running a business.

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Baptist said he has known Doc for a long time. Will he have time to devote to P&Z.? Doc said he is retired and has flexible time.

Peters said Commissioners must be up to speed, come to all meetings and be familiar with the General Plan.

B. Eric Eikenberry

Massey said he has known Eric for a long time. Baptist said he has an impressive resume. Eric said he built his house 25

years ago. He has always been in public service and he gave up a good salary to live here. He is a licensed general contractor and real estate agent. He wants to make a difference and make it easier to earn a living here. He doesn't have much time but will make time for P&Z as it is important to him.

Frederickson asked if he had read the General Plan. Eric said if he is appointed, he will read it. Oscar said it's important to go to local events to get the feel of the "village" and asked about his education. He has a Masters from NAU in education.

Baptist asked if there would be any conflict of interest with his real estate job. Perception is reality, and he will avoid any look of conflict. He has lots of experience.

C. John Rushton

John said he is the owner of Bankers Real Estate and asked if he would have to surrender any future interest in any project he voted on. How would he prove any decision was free of self interest? Baptist said he has known him to be honest. Massey said the perception may cause problems or damage his reputation in real estate. Frederickson said no one can know the future. He asked if John had read the General Plan. He has a copy in his office. Where was he educated? So. Utah Univ. in finance. He has only built small projects.

John said he is on 3 different homeowner's assoc. and has an interest in planning. He is concerned with the integrity of the City and wants to give back. He is very aware of the appearance of conflict.

Massey asked to have an interview with John Dent on the next agenda.

V. ADJOURNMENT: Peters moved to adjourn; Cowan seconded; Meeting adjourned at 9:50 P.M.